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RUEHUL/AMEMBASSY SEOUL PRIORITY 1250
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RUEKJCS/JOINT STAFF WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY 1810
RUEKJCS/SECDEF WASHDC PRIORITY 1660
RUEHNO/USMISSION USNATO PRIORITY 2918
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SUBJECT: KAZAKHSTAN: NEW KNB CHAIRMAN VOWS TO FOLLOW THE
LAW

Classified By: Ambassador Richard E. Hoagland: 1.4 (B), (D)

11. (S) SUMMARY: Newly appointed KNB Chairman Adil Shayakhmetov told the Ambassador on December 12 that he will strive to increase U.S.-Kazakhstan counter-terrorism cooperation, and that the KNB under his chairmanship will work strictly within the law. When the Ambassador raised several cases of journalists and human-rights advocate Yevgeniy Zhovtis, Shayakhmetov did not react negatively, but, as would be expected, neither did he seem eager to offer positive solutions. We believe Shayakhmetov will report this meeting to President Nazarbayev. END SUMMARY.

12. (S) On December 7, the Senate of Kazakhstan confirmed Major General Adil Shayakhmetov as the new chairman of the Committee for National Security (KNB, ex-KGB), replacing Amangeldy Shabdarbayev who has been appointed a senior adviser to President Nursultan Nazarbayev. The actual transfer of authority took place on December 11, when Nazarbayev went to KNB headquarters to introduce Shayakhmetov. As soon as Shayakhmetov was confirmed, as a matter of course the Ambassador submitted a request to pay a courtesy call on him. With lightening speed for the Kazakhstani bureaucracy, the appointment was set for Saturday morning, December 12. From the moment the Ambassador walked through the front door of the KNB headquarters, photographers and a videographer stayed glued to him. The meeting took place in what appeared to be Shayakhmetov's actual office, with phones ringing non-stop, although they remained unanswered.

TIME TO EXPAND COUNTER-TERRORISM COOPERATION

13. (S) The Ambassador congratulated Shayakhmetov on his appointment and officially introduced him to the Mission's GRPO chief. The Ambassador emphasized that the United States fully respects Kazakhstan's other important relations (i.e., Russia), but believes it is the right time to increase our bilateral intelligence cooperation, especially as we take on new responsibilities in Afghanistan. He noted that Kazakhstan and the United States have had a history of

positive cooperation on counter-terrorism, with real successes. We would now like to expand our counter-terrorism cooperation beyond information sharing.

A SUGGESTION

14. (S) The Ambassador then said he would like to offer a suggestion. In recent months, Kazakhstan's image has suffered internationally because of the arrests and convictions of several journalists and the internationally respected human rights advocate Yevgeniy Zhivtis, cases which some believe were politically motivated. The Ambassador emphasized strongly that he does not have the right to interfere in Kazakhstan's internal affairs but, as a friend of Kazakhstan, suggested that Shayakhmetov consider recommending to President Nazarbayev a review of these cases, fully within the limits of Kazakhstani law. The Ambassador told Shayakhmetov that a positive resolution of these cases -- perhaps through a Presidential New Year Amnesty -- would make a strong and positive international impression and would help undo some of the recent damage, especially at the moment Kazakhstan assumes the chairmanship of the Organization for Security and Cooperation in Europe (OSCE).

A HINT?

15. (S) Dismissing the photographers, Shayakhmetov responded that he was pleased to meet the Ambassador, noting that he was the first foreign diplomat he was meeting in his new position. He emphasized that he was fully briefed on "all cases of the past three years," because he had been Deputy

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Chairman of the KNB. He praised the effective cooperation between our two special services, and recalled his previous consultations in the United States on counter-terrorism. Re-emphasizing that he knows "all the cases of the past three years," Shayakhmetov again offered appreciation for U.S.-Kazakhstan cooperation. He said, "As chairman of the KNB, I will strive to increase that cooperation." (COMMENT: We suspect that Shayakhmetov's reference, repeated twice, to "all the cases of the last three years," might have been a veiled hint about KNB cases that were initiated against U.S. interests. END COMMENT.)

"THE KNB WILL WORK STRICTLY WITHIN THE LAW"

16. (S) Turning to the journalists and Zhovtis, Shayakhmetov stated, "They received what the law requires. About Zhovtis, you must remember that he killed a man." Shayakhmetov then said, "I have been in many CIS countries, and I understand how the various systems work. In Kazakhstan, we are working to develop a real democracy. I understand the importance of our OSCE chairmanship. Under my chairmanship, the KNB will work strictly within the law. When I represented the KNB at the provincial level (in Pavlodar), I learned the importance of following the letter of the law. Because of your status as an important and highly experienced diplomat, I look to you to help improve the cooperation between our two countries."

17. (S) The Ambassador thanked Shayakhmetov for his emphasis on rule of law, the foundation of true democracies, and reiterated that he had brought up difficult cases solely as a friend of Kazakhstan to emphasize the serious image problem that has developed for Kazakhstan.

AMBASSADOR'S COMMENT

18. (S) Although I do not want to read too much into this meeting, it strikes me as somewhat unusual that I was able to meet Shayakhmetov so quickly after his appointment and that I was supposedly the first foreign diplomat to do so. This meeting, in which Shayakhmetov was relatively reserved and businesslike but not unfriendly, is in stark contrast to my courtesy call on Shabdarbayev in November 2008, when he

abruptly opened the meeting by asking brusquely if I were prepared to cooperate operationally to use all possible special-services means to detain disgraced First Son-in-Law Rakhat Aliyev in Austria and "render him to Kazakhstan to face justice." When I firmly declined, Shabdarbayev abruptly ended the meeting and stalked out after 10 minutes. With Shayakhmetov, Aliyev was never once mentioned, and the chairman remained positive and reasonably friendly, even if relatively formal.

¶9. (S) COMMENT CONTINUEDD: I raised the cases of journalists, and especially Zhovtis, because some recent Web-site analytical postings, which the KNB had certainly seen, have suggested that Shabdarbayev was removed from the KNB chairmanship because he had gone too far in pursuing these and other cases (including against former KazAtomProm Chairman Mukhtar Dzhakishev), supposedly to please Nazarbayev. Without pressing too hard, I emphasized the image issue, suspecting that Shayakhmetov would report the meeting to President Nazarbayev. If nothing else, the photographers and the videographer (surely recording every word) were present when I made this intervention. They left only when Shayakhmetov dismissed them to begin his reply.

¶10. (S) COMMENT CONTINUED: I have no special reason to believe that our U.S. view will prevail on the human-rights cases, but at least we know that it will now more likely reach Nazarbayev's ear. This meeting would not have happened so unusually quickly if there had not been a degree of

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interest at the top in what the United States would say in the context of the removal of Shabdarbayev from the KNB. END COMMENT.
HOAGLAND